



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

SENT BY EMAIL (DOGGRRegulations@conservation.ca.gov)

ATTN: Well Stimulation Regulations

July 18, 2014

Mr. Tim Shular
California Department of Conservation
Division of Oil, Gas and Geothermal Resource
801 K Street, MS 24-02
Sacramento, CA 95814

RE: Comments on Revisions made to SB 4 Well Stimulation Treatment Regulations

Dear Mr. Shular,

On behalf of the County of San Luis Obispo Planning Department, we appreciate the opportunity to comment on DOGGRs efforts to evaluate the impacts of existing and potential future oil and gas well stimulation treatments occurring within California. The following comments relate to the proposed regulations and the recent revisions made.

As the County of San Luis Obispo must issue a discretionary permit before oil development can occur (primarily focusing on the above-ground portion of the oil extraction permitting process) within our County, and that we act as the Lead Agency for these discretionary permits, it is important that the County is recognized as an integral component of the review/approval process of oil facility development. While the most recent revisions include some notification to land use permit authorities, we have identified the need for this notification in several other sections. To that end, we request that the following changes be made (see ~~strikeout~~/underline):

1783. Application for Permit to Perform Well Stimulation Treatment.

(a) A well stimulation treatment ...

(b) An application for a ...

(c) Upon receipt of a complete application for a permit to conduct well stimulation treatment, the Division will provide a copy of the permit application, including information in the application designated as trade secret or confidential, to the Regional Water Board, the Department of Toxic Substance Control, the Air Resources Board, ~~and~~ the local air district, and any other local agencies (such as counties and cities) with jurisdiction over, or that may be affected by, the related activities where the well stimulation treatment may occur, provided that the manner and timing of providing copies of permit applications has been specified in a written agreement between the Division and the receiving agency.

(~~ed~~) The operator shall notify the Division at least 72 hours prior to commencing well stimulation so that Division staff may witness. Three hours prior to commencing, the operator shall confirm with the Division that the well stimulation treatment is proceeding. Upon receipt of 72-hour notice from an operator, the Division will relay the notice to the Regional Water Board, the Department of Toxic Substance Control, the Air Resources Board, ~~and~~ the local air district, and any other local agencies with jurisdiction over the related activities where the well stimulation treatment may occur, provided

that the manner and timing of relaying the notice has been specified in a written agreement between the Division and the receiving agency.

1786. Storage and Handling of Well Stimulation Treatment Fluids and Wastes.

(a) Operators shall adhere...

(1) Fluids shall be stored...

(2) Operators shall be...

(3) Fluids shall be accounted for in the operator's Spill Contingency Plan.;

(4) Fluids shall be stored in containers and shall not be stored in sumps or pits.;

(5) In the event of an unauthorized release, the operator shall immediately implement the Spill Contingency Plan; notify the Regional Water Board and any other appropriate response entities for the location and the type of fluids involved, as required by all applicable federal, state, and local laws and regulations; and shall perform clean up and remediation of the area, and dispose of any cleanup or remediation waste, as required by all applicable federal, state, and local laws and regulations. In addition, the local land use permit authority shall also be notified.

We appreciate your consideration of these important changes. Should you have any questions please let me know (805/781-5452). For all correspondence and future notices, please send to:

John McKenzie
County of San Luis Obispo Planning & Building Dept.
976 Osos Street, Rm. 200
San Luis Obispo, CA 93408

Or, to jdmckenzie@co.slo.ca.us

Sincerely,



JOHN MCKENZIE
Senior Planner